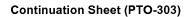
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/647,071	SWAIN ET AL.	
Examiner	A =4 1 == 14	
Lxammer	Art Unit	

The MAILING DATE of this communication appears on the	cover sheet with the correspondence address
THE REPLY FILED <u>04 November 2009</u> FAILS TO PLACE THIS APPLICAT	TION IN CONDITION FOR ALLOWANCE.
1. The reply was filed after a final rejection, but prior to or on the same d application, applicant must timely file one of the following replies: (1) a application in condition for allowance; (2) a Notice of Appeal (with application in condition (RCE) in compliance with 37 CFR 1.114.	ay as filing a Notice of Appeal. To avoid abandonment of this an amendment, affidavit, or other evidence, which places the leal fee) in compliance with 37 CFR 41.31; or (3) a Request
periods: a) The period for reply expiresmonths from the mailing date of the f b) The period for reply expires on: (1) the mailing date of this Advisory Action no event, however, will the statutory period for reply expire later than SIX	inal rejection. n, or (2) the date set forth in the final rejection, whichever is later. In
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CH MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the have been filed is the date for purposes of determining the period of extension and the under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statist forth in (b) above, if checked. Any reply received by the Office later than three m may reduce any earned patent term adjustment. See 37 CFR 1.704(b).	petition under 37 CFR 1.136(a) and the appropriate extension fee the corresponding amount of the fee. The appropriate extension fee that the state of the state o
NOTICE OF APPEAL	OZ OED 44 OZ movet be filled within two mounths of the date of
 The Notice of Appeal was filed on A brief in compliance with filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereo Notice of Appeal has been filed, any reply must be filed within the time AMENDMENTS 	f (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a
3. The proposed amendment(s) filed after a final rejection, but prior to t	he date of filing a brief, will not be entered because
(a) They raise new issues that would require further consideration a	
(b) They raise the issue of new matter (see NOTE below);	(300 TO 12 2010W),
(c) They are not deemed to place the application in better form for appeal; and/or	appeal by materially reducing or simplifying the issues for
(d) They present additional claims without canceling a corresponding	ng number of finally rejected claims.
NOTE: seeattached advisory action continued. (See 37 CFR	1.116 and 41.33(a)).
4. The amendments are not in compliance with 37 CFR 1.121. See atta	ched Notice of Non-Compliant Amendment (PTOL-324).
5. Applicant's reply has overcome the following rejection(s):	
6. Newly proposed or amended claim(s) would be allowable if su	bmitted in a separate, timely filed amendment canceling the
non-allowable claim(s).	<u>_</u>
7. For purposes of appeal, the proposed amendment(s): a) will not be how the new or amended claims would be rejected is provided below. The status of the claim(s) is (or will be) as follows:	
Claim(s) allowed:	
Claim(s) objected to:	
Claim(s) rejected: <u>125,126,128,131-138 and 142-160</u> .	
Claim(s) withdrawn from consideration:	
AFFIDAVIT OR OTHER EVIDENCE	in the date of filing a Nation of Annual will not be entared
8. The affidavit or other evidence filed after a final action, but before or of because applicant failed to provide a showing of good and sufficient rewas not earlier presented. See 37 CFR 1.116(e).	
9. The affidavit or other evidence filed after the date of filing a Notice of entered because the affidavit or other evidence failed to overcome <u>all</u> showing a good and sufficient reasons why it is necessary and was not sufficient reasons.	rejections under appeal and/or appellant fails to provide a
10. ☐ The affidavit or other evidence is entered. An explanation of the state REQUEST FOR RECONSIDERATION/OTHER	us of the claims after entry is below or attached.
11. \square The request for reconsideration has been considered but does NOT	place the application in condition for allowance because:
12. Note the attached Information <i>Disclosure Statement</i> (s). (PTO/SB/08 13. Other:) Paper No(s)
/ A	nhar D. Stoola/
	nber D. Steele/ nary Examiner, Art Unit 1639



Application No.